NATIONAL LONDON

By the King.

A Proclamation for preuention of abuſes of Informers, Clerkes, and others in their proſecutions vpon the Lawes, and Statutes of this Realme.

WHereas for the more due execution of the Lawes, and Statutes of this Realme, and the better to reforme the abuſes of Common Informers in their vniuſt proſecutions, and vexations of Our Subiects: Wee by Our Letters Patents vnder Our great Seale of England, bearing date at Weſtminſter the twentieth day of February, in the fift yeere of Our Raigne, vpon due conſideration did ratifie and confirme the Office of Receiuer, and Collectour of Fines, and Forfeitures due vpon penall Lawes, formerly erected by Our late deere Father of bleſſed memorie, in the eighteenth yeere of his raigne; and thereunto We vnited and annexed the Surueying, Regiſtring, Collection, and Receipt of Fines, and Forfeitures, for tranſgreſſing the Common Law of this Realme, or any branch thereof, and of all, and euery Recognizance, or Recognizances thereupon grounded, which were, or ſhould be forfeited to Our vſe in any Our Courts of Juſtice, and Judicature, within this Our Realme of England, and Dominion of Wales; and of all ſummes of Money, which were, or ſhould bee to Vs, Our Heires and Succeſſors, due, or growing by reaſon of any Information, Bill, Plaint, Suit, Action, Preſentment, Compoſition, Verdict, Iudgement, Execution, or other proceeding commenced, or to be commenced and proſecuted, either by Our Attorney generall for the time being, or by any common Informer, or other proſecutour, perſon, or perſons whatſoeuer, againſt any offendour, or defendant for tranſgreſſing the ſaid Lawes and Premiſes, or any of them, or by reaſon of any Recognizance as aforeſaid; Sithence, the one and thirtieth yeere of the raigne of Our late Royall predeceſſor Queene Elizabeth, (excepting the Regiſtring of all Suites, Plaints, and Informations, and the collecting of all Fines, and Forfeitures due, or to be due by any ſentence of Our Court of Starchamber, or by any Iudgement, Sentence, or Decree in either of Our Courtes holden, or to bee holden before the Lord Preſident and Councell, in Our Principalitie and Marches of Wales, or before the Lord Preſident and Councell, in the North parts of this Our Realme, or in any Court Leet, or Courtes Leets, and of all Fines, and Forfeitures for Cuſtome cauſes, and touching Our ſetled Reuenue, and of all other Fines, and Forfeitures, whereof the Regiſtring, Collection, and Receipt was by any letters Patents vnder the great Seale of England granted to any other perſon, or perſons, before the fifteenth day of October, in the eighteenth yeere of the raigne of Our ſaid deere Father, and which were in force at the time of the making, and enſealing of Our ſaid letters Patents.) And whereas, by Our ſaid letters Patents, we haue granted the ſaid Office vnto Our truſty and welbeloued ſeruants Iames Chambers Doctour of Phiſicke, one of Our Phyſitians for Our perſon in ordinary, and Edward Brawne Eſquire, one of Our Gentlemen Sewers in ordinarie, for terme of their liues, and the longeſt liuer of them, to be exerciſed, and executed by himſelfe, or themſelues, or by his, or their ſufficient deputie, or deputies, as therein more at large it doth, and may appeare.

Now foraſmuch, as notwithſtanding the ſeuerall prouiſions expreſſed in Our ſaid letters Patents, and ſeuerall directions ſithence giuen by Vs in purſuance thereof, for preuenting of great

fraudes, and abuſes committed by the ſubtile practiſes of common Informers, combining with vnder Clerkes, and other inferiour officers their confederates, in their proſecutions vpon the ſaid Lawes, and premiſes; the ſame continue ſtill more and more practized, to Our great preiudice, the contempt of Our Lawes, and abuſe of Our Subiects, and to the onely priuate gaine of them the ſaid Informers, Clerkes, and other ſuch inferiour perſons and officers: We therefore, for the better preuention of all ſuch fraudes, and practiſes in time to come, and for the better ſetling, and ordering of the ſaid Office, and performance of Our ſeruice therein to be done by Our ſaid officers; And to the intent Our Royall Will and pleaſure, and prouiſions in Our ſaid letters Patents, concerning the premiſſes, may be the more publiquely knowne and duly obſerued; Haue thought fit by this Our Proclamation to giue publique notice thereof, to all Our officers, and louing Subiects, eſpecially thoſe whom it doth, or may concerne; That they nor any of them may pretend ignorance, if at any time hereafter they ſhall violate, or tranſgreſſe the ſame: which We doe hereby ſtreightly charge, and command them, and euery of them, carefully to obſerue, vnder paine of Our high diſpleaſure, and ſuch puniſhments, as by the Lawes of this Our Realme, or Our Prerogatiue Royall may be inflicted vpon them for ſuch their contempt.

And firſt, for the better and more certaine knowledge of the proceedings of Informers, and of what thereby ſhall accrue vnto Us, and to preuent their ſecret practiſes; We doe hereby ſtraightly charge and Command, that euery Informer and other proſecutour, perſon, and perſons whatſoeuer, that ſhall at any time hereafter exhibite or preferre any Information, Bill, Plaint, Suite, Action, or Preſentment, in any Our Courtes, or places of Juſtice within this Our Realme of England, and Dominion of Wales, (except the Courts and places before excepted) vpon any penall Law, or Statute, or for tranſgreſſing the Common Law of this Realme, or any branch or member thereof, wherein We ſhall be intereſſed, ſhall before he take out any Writ, or Proceſſe againſt any Defendant, for appearance to his Suite, deliuer a briefe and perfect Note, or Copie of euery ſuch Information, Bill, Plaint, Suite, Action, and Preſentment to Our ſaid Receiuers, their Deputies, or ſome of them, either at their publique Office kept for that purpoſe, in, or neere Our Citie of London, for ſuch as ſhall be exhibited, and proſecuted, in Our Courtes of Record at Weſtminſter, and other Our Courts of Juſtice, in, or neere Our Citie of London, and places thereunto adioyning, or to their particular Deputies attending in the ſeuerall Counties, and places aforeſaid, for ſuch as ſhall be there preferred, and proſecuted, To the intent that an Entrie may be thereof, by him, and them had, and made, according to the true intent and meaning of the ſaid letters Patents.

And Our further Will, and Pleaſure is, that no Officer, Attorney, or other Clerke, or Clerkes whatſoeuer, whether belonging to any the ſaid High Courtes of Juſtice at Weſtminſter, or to any other inferiour Court or Courts as aforeſaid, or to any Towne Corporate, Borough Towne, or other place within this Our Realme of England, and Principalitie aforeſaid, hauing Authoritie to Iſſue forth any ſuch Writ, or Proces, ſhall Iſſue forth any ſuch againſt any Defendant, at the Suite of any Informer, or other Proſecutor, vpon any the foreſaid Lawes, or Statutes, vntill it ſhall bee made appeare vnto ſuch Clerke, Attorney, Officer, or other perſon, by ſome Note, or Writing vnder the hand, or hands of Our ſaid Receiuers, or his, or their Deputie, or Deputies, or ſome of them, That they Our ſaid Receiuers, or their Deputies, or ſome of them, haue had ſufficient notice of euery ſuch Information, Suite, Action, or Plaint, together with the names, and places of the abode of the parties both plaintife, and defendant.

And Our further Will and Pleaſure is, and We doe hereby ſtraightly charge, and Command, all common Informers, and other Proſecutors as aforeſaid, that ſhall hereafter ſue out any Licence to Commune, Compound, and Agree With any Defendant, or make any Compoſition vpon any ſuch Licence, or procure any Fine to be ſet, ſtricken, or Aſſeſſed to Us for the ſame; and euery Officer, Attorney, and Clerke belonging to any Our Courts, or places of Juſtice as aforeſaid, that ſhall make, or prepare any ſuch Licence, or any Warrant, Bill, or Writing, for the ſtriking, ſetting, or Aſſeſſing of any Fine, vpon, or by reaſon of any Information, Bill, Plaint, Suite, Preſentment, or Action as aforeſaid, or for, or by reaſon of any Verdict, Compoſition, or Inqueſt; That they, and euery of them reſpectiuely from time to time at all times hereafter, by Writing vnder his, or their hand, or otherwiſe giue true, certaine, and ſufficient notice, and knowledge thereof, to Our ſaid Receiuers, or their Deputies, or ſome of them, before any ſuch Licence for Compoſition, or Warrant for Aſſeſſing, or ſtriking off Fines as aforeſaid ſhall be exhibited, or preferred to any the Judges, Barons, or Juſtices of Our ſaid Courts, or to Our Attorney Generall for the time being, to bee by them, or any of them Signed, Granted, Stricken, Set, or Aſſeſſed reſpectiuely as aforeſaid; To the intent, that not onely Entries of the particulars thereof, together with the names and places of abode of the parties, both Plaintifes, and Defendants, may be the more duely had, made, and entred by Our ſaid Receiuers, or their Deputies for Our ſeruice, according to the true meaning of Our ſaid letters Patents: But alſo that they Our ſaid Receiuers, or their Deputies, or ſome of

them, may be attendant on the said Judges, Justices and Barons, or vpon Our Attorney generall at the rating, setting, striking, or assessing of the sayd Fine or Fines, the better to Informe them or any of them of the nature and qualitie of the Offence whereupon the sayd Fine is to be assessed, That thereby the sayd Fine may be by them Our sayd Judges, Justices, Barons, or Attorney generall mitigated or increased, as the cause shall require and they shall think fit.

And for the better performing of this our Seruice, Our Royall Will and Pleasure is, That the Clerke of the Crowne in Our Bench at Westminster, the Custos Brevium in Our Court of Common Pleas, Our Prothonotaries of that Court, The Remembrancer of Our Court of Exchequer, and the Clerke or Prothonotarie of the Office of Pleas in that Court for the time being; The Clerks of Assize, and Clerks of the Peace in all and euery Our Courts in the seuerall Counties and circuits throughout this Our Realme of England and Dominion of Wales; the Clerks of Cities and Townes Corporate, and all other Officers and Ministers of the sayd seuerall Courts, and all and euery the Officers and Ministers of Us, Our Heires and Successors whatsoeuer, whom it shall or may concerne doe take speciall notice of this Our Royall Will and Pleasure in the premisses, and in Our sayd Letters Patents more at large expressed.

And that euery Informer also, after Composition made with any defendant, and before he shall receiue his money or any part thereof, or make any Acquittance or discharge for the same, shall not onely certifie his Composition vpon oath before one of the Judges or Justices by whom such licence was graunted and signed; (whom We haue by Our sayd Letters Patents authorized to administer such oath) But shall also returne the same so certified vnto the Court or Office from whence processe vpon such Information, suite, or other Action did issue, whereupon the sayd Licence was granted; And shall likewise giue notice thereof by Writing vnder his the said Informers hand vnto Our said Receiuers or their deputies or some of them, to the end that they or some of them may be there present to receiue the moyetie or other part of the Forfeiture by Our sayd Lawes and Statutes limited and appointed to Us, or otherwise procure a Fine to be set for Us, or processe awarded against the defendants ad satisfaciendum Finem.

And for the better discouering of any Fraud, abuse, delay, or concealement, and finding out of the sayd Fines, Forfeitures, Compositions, Verdicts, Judgements, Executions, summe and summes of money which are or hereafter during the terme aforesayd shall be due, payable, or answerable vnto Us, Our Heires, and Successors, for any the causes before mentioned, We doe hereby Will, Ordaine, Command, authorize, and appoint that Our said Receiuer and Receiuers, and their and euery of their Deputie or Deputies, shall and may at all times hereafter haue accesse vnto, and view, perusle, search, and examine all and euery the Records, Proces, Files, Informations, Entries, Bookes, Estreates, and Rolles whatsoeuer remaining, or which shall remaine in any of Our sayd Courts or places of Justice, or Judicature aforesayd, or in any other Court or Courts whatsoeuer within this Our Realme of England and Dominion of Wales, hauing power to heare and determine, and before whom such suites may lawfully be brought, or in the custodie of any the Officers or Ministers of the same Courts; and shall or may at the will and pleasure of them Our said Receiuers or their deputies make and take notes and Copies thereof, without any Fee to bee payd for the same: To which end, and for the greater ease of Our sayd Receiuers, and their deputies; Our Will and Pleasure is, and Wee doe hereby expressly charge and command the Clerke of our Crowne in Our Bench at Westminster for the time being, the Custos Brevium in Our Court of Common Pleas, the Prothonotaries of the same Court, the Remembrancer of Our Court of Exchequer, and the Master Clerks, and other Officers of the Court of Pleas there for the time being, the Clerks of Assize, and Clerks of the Peace in their seuerall Counties, Courts, and circuits, the Clerks of all Cities, and Townes corporate within this Realme and the Dominions thereof for the time being, and which hereafter shall be, and euery of them, and all other Officers and Ministers of the sayd seuerall Courts and places aforesayd; And all and euery the Officers and Ministers of Us, Our Heires and Successors, whom it shall or may concerne throughout this Our Realme of England and Dominion of Wales, That from henceforth there be in euery the sayd seuerall Courts a certaine place appointed, and therein a publique Booke of Register or Entrie exactly kept, In which, all and euery the Informations, Bills, Plaints, Suits, Actions, Presentments, Licences, Compositions, Verdicts, Judgements, and other proceedings which now are, or hereafter shall be exhibited or preferred, had, made, assessed, adiudged, or recouered in any of the said seuerall Courts, Places, or Counties aforesaid by any Informer or other prosecutor, person or persons whatsoeuer vpon the sayd Lawes or Statutes, shall be distinctly entred and registred; and also all, and euery Recognizance and Recognizances which shall be giuen or entred into, acknowledged and taken to Our vse, grounded vpon the said Lawes or Statutes.

And to the end Our laid Receiuers or their Deputies may the better execute and exercise the sayd Office, and receiue and bring into the Coffers of Us, our Heires and Successors, the summes of money, Fines, Forfeitures, Compositions, and other the duties before mentioned; Our Will and Pleasure is, that the chiefe Justices, and other the Justices of both our Benches at Westminster, for the time being, and all and singular the Officers and Ministers of the same Courts, for the time being, and all and singular Justices of Assize, and Justices of the Peace, Clerks of Assize, and Clerks of the Peace, Clerks of Cities and Townes corporate, and all other Officers whatsoeuer, whom it shall, or may concerne, to cause all and euery the foresayd Fines, Forfeitures, Amerciaments, Compositions, and other the premisses which shall bee had, made, set, stricken, assessed, compounded, adiudged, or otherwise happen in any of Our Courts, or other places of Justice, with, or before them, or any of them respectiuely from time to time, at all times hereafter, at least once in euery of the foure seuerall Termes of the yeere, or within ten dayes next after the end of euery the sayd foure Termes, to be estreated into Our Court of Exchequer, and a Duplicate or Copie thereof likewise giuen to Our sayd Receiuers, their Deputies, or some of them, to the end that processe may from thence issue for the leuying of the sayd Fines and Forfeitures, as for the leuying of other Our Fines and Amerciaments are vsuall. Willing, requiring, and commanding the Treasurer, Chancellor, Under-treasurer, and Barons of our sayd Court of Exchequer, and other the Officers and Ministers of the sayd Court for the time being, to whom it shall appertaine, to award and make forth, or cause to be awarded and made forth of the sayd Court, according to the course there vsed, such, and so many Commissions, Writs, and other Processe, as shall be thought fit, and shall be required by Our sayd Receiuers or their deputies, or any of them, for the more speedie leuying, collecting, and getting in of the Fines, Forfeitures, and premisses; and vpon request of Our sayd Receiuers, or their Deputies, to bee furthering, ayding, and assisting vnto them in the doing and executing of Our Will and Pleasure expressed in Our sayd Letters Patents, and that aswell they, as all other the Iudges, Justices, and Officers in their seuerall Courts, and according to their seuerall duties and places, do make, set downe, and publish, such and so many other and further Acts, Orders and Ordinances for the reducing of Informers, Attorneyes, Clerks, Undersheriffes, Bayliffes, and other inferiour Officers, and Ministers whom it shall, or may concerne, to the iust and due obseruance and performance of the premisses, as they in their Wisedomes shall thinke fit.

And Wee doe further hereby Will and Command, all and euery Sheriffe and Sheriffes, and their Under-sheriffes, and other persons whatsoeuer, to whose hands any the summe and summes of money, or other duties of the nature aforesaid, or any part thereof shall come, and all, and euery Defendant and Defendants in any the Suites before mentioned, from time to time, to deliuer and pay to Our said Receiuers, or their Deputie or Deputies, all and euery such summe and summes of money, by them or any of them to Us now due and owing, or hereafter, during the terme aforesaid, to be due and owing to Us, Our Heires and Successours, for any the causes, or matters before mentioned, taking onely an Acquittance, or Receipt, vnder the hand and Seale of the said Receiuer or Receiuers, his, or their Deputie or Deputies, or one of them for the same, which shall be vnto them and euery of them, a sufficient discharge in that behalfe.

And for the better ease and reliefe of such Our Subiects, who in respect of their great pouertie, are not able to satisfie and pay vnto Us, Our Heires and Successours, the Whole summe, or penaltie to Us forfeited, and adiudged by Our said Lawes, by reason of the premisses: Our Will and pleasure is, that vpon Certificate vnder the hands and Seales of fiue, or more of the principall and chiefe men of the Parish where the said Delinquents shall dwell, (the Parson, or Minister there to be one,) of the pouertie of the said Delinquents, any two or more of the Iudges, Justices, Barons of Our Exchequer, and other Officers (whereof the Lord chiefe Baron, or Our Attorney Generall for the time being to be one, and some one of the Iudges or Justices, before whom such Information, Suit, or other Action was, or shall be tryed, to be another) may upon sight of such Certificate of their pouerty, as in the sayd Letters Patents is expressed, deliuered them by Our sayd Officers or their Deputies, abate and mitigate the extremitie of such their Forfeitures so by the rigour of Our Lawes adiudged, or to be adiudged against them, by vertue of the sayd Verdicts, Iudgements, or Executions, as they in their discretions shall thinke fit; And after payment made to Our Receiuers of what shall be thought fit to be leuied according to the sayd mitigation, to discharge the sayd Defendants, by Iudgement or otherwise, against Us, Our Heires and Successors, touching and concerning the Premisses.

And whereas diuers Cities, and townes Corporate within this Realme of England, and Dominion of Wales, pretending right, as from their auncient Charters, vnto the said Fines, Forfeitures, and other the Premisses, haue leuied and collected the same to their proper vse: By which Charters, neuertheleſſe, they haue no right at all to any such Fines, and Forfeitures, and that some of the said Corporations are willing to submit themselues to make Fine to Vs, for all such profits and summes of money of the nature aforesaid, so receiued by them, and that other Cities doe as yet forbeare to make any submission, or satisfaction to Vs:

Our will and pleasure is, that according to the power granted by Our said letters Patents, Our said Receiuers, or their authorized Deputies, with the approbation and allowance of the Barons of Our Exchequer, and Our Attorney generall for the time being, or any two of them, (whereof, the Lord chiefe Baron, or Attorney generall for the time being to bee alwayes one,) may call before them the Maiors, Sheriffes, Recorders, Aldermen, Bayliffes and other such chiefe officers of the said Cities, and townes Corporate, and may admit to composition, all such as are willing to submit themselues thereunto, for all the Fines, Forfeitures, and summes of money of the nature aforesaid, by them, or any of them heretofore leuied or receiued, of, for, or concerning the premisses, and thereupon to giue such sufficient exoneration and lawfull discharge, of, and for the same, as shall bee by them thought fit and requisite; And for such as doe, or shall refuse to accept of this Our royall clemencie, to proceede against them, according to Iustice, and the Lawes of this Our Realme.

Lastly, Wee will, and doe hereby publish Our Royall Commandement to bee, that all, and euery Our Subiects of this Our Realme of England, and Dominion of Wales, doe take notice of the premisses, and doe performe and execute Our pleasure herein declared, as they and euery of them, will auoide the censure of wilfull contemners of Our Royall Commands, and such punishments as by the Lawes, or Statutes of this Realme, or otherwise may be inflicted vpon them in that behalfe.

Giuen at Our Court at Windsor, the sixth day of September, in the eleuenth yeere of Our Reigne of Great Brittaine, France, and Ireland.

God saue the King.

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